

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

WAYNE BARNES,

Plaintiff,

v.

9:04-CV-1269

LT. CRAFT; SGT. J. O'KEEFE; C.O. C. HODGES;
and G. GOORD, Commissioner of the New York
State Department of Correctional Services,

Defendants.

APPEARANCES:

OF COUNSEL:

WAYNE BARNES, No. D-62147
Bergen County Jail
P.O. Box 0369
Hackensack, NJ 07601
Plaintiff, *Pro Se*

HON. ANDREW M. CUOMO
Attorney General of the State of New York
The Capitol
Albany, NY 12224
Counsel for Defendants

MICHAEL G. McCARTIN, ESQ.
Assistant Attorney General

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on the 24th day of July, 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The Defendants' motion for summary judgment (Dkt. No. 43) is granted.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the

Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: August 18, 2008
Syracuse, New York

A handwritten signature in black ink, appearing to read "Norman A. Mordue". The signature is fluid and cursive, with a large initial "N" and "M".

Norman A. Mordue
Chief United States District Court Judge